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2
3 BILL NO. R-74-03 -15 (amended)
4

5 RESOLUTION NO. R 21-74

6 A RESOLUTION REQUESTING ACTION BY
7 CITY PLAN COMMISSION TO AMEND ZONING
8 ORDINANCE OF THE CITY OF FORT WAYNE.

9 WHEREAS, The terms of Chapter 36, Munciiipal Code of
10 the City of Fort Wayne, Indiana 1946 as amended by General
11 Ordinance No. 2836 and amendments thereof now provides for
12 the establishment of Shopping Centers by means of placement
13 "B-2" or "B-2A" symbols for Regional or Neighborhool Shop-
14 ping Centers; and

15 WHEREAS, the use of such procedures involve confusion
16 because of the lack of a definitive area or tract of land
17 being encompassed in said Shopping Center; and

18 WHEREAS, the present Ordinance of the City of Fort
19 Wayne regarding "B-2" and "B-2A" Regional and Neighborhood
20 Shopping Centers merely requires that the "tract" involved
21 shall be an area of not less than ten (10) acres for a
22 "B-2" Center and shall not be less than three (3) acres
23 nor more than ten (10) acres for a "B-2A" Center, and further
24 only requires that said area lie wholly or partially within
25 fourteen hundred (1400) feet of a point represented by a
26 "B-2" or "B-2A" symbol on the Zoning Map; and

27 WHEREAS, said present City Ordinance is further confus-
28 ing in that permits issued by the City Plan Commission requires
29 that "not more than one Improvement Location Permit for
30 Shopping Center District may be issued and outstanding at any
31 one time"; and

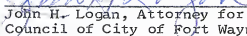
32 WHEREAS, all of that portion of Chapter 36 Municipal
33 Code of the City of Fort Wayne 1946 as amended by General
34 Ordinance No. 2836 adopted January 11, 1955 and subsequent
35 amendments dealing with so called "B-2" and "B-2A" Regional
36 and Neighborhood Shopping Centers should be repealed and
37 in lieu thereof a new Ordinance should be adopted by the
38 City of Fort Wayne repealing said provisions and substitut-
39 ing therefor new District classifications for Regional and
40 Neighborhood Shopping Centers.

41 NOW, THEREFORE, BE IT RESOLVED that the Plan Commission
42 of the City of Fort Wayne, Indiana direct its efforts to
43 ~~immediate~~ consideration of the repeal of the present "B-2"
44 and "B-2A" Regional and Neighborhood Shopping Center provi-
45 sions of the Zoning Ordinance of the City of Fort Wayne,
46 Indiana, and to the adoption of necessary zoning legislation
47 pertaining to Shopping Centers, ~~by District classification~~
48 ~~requiring the exact land description and area to be utilized~~
49 ~~in the application for such district.~~

50 ~~BE IT FURTHER RESOLVED that the Common Council of the~~
51 ~~City of Fort Wayne will not approve any "B-2" or "B-2A" Regional~~
52 ~~and Neighborhood Shopping Center until the Zoning Ordinance of~~
53 ~~the City of Fort Wayne is amended as hereinabove required.~~

54 
55 Councilman

56 Approved as to legality and form
57 this 11 day of March, 1974.

58 
59 John H. Logan, Attorney for Common
60 Council of City of Fort Wayne.

Deletion 31
as amended
3-26-74 32

Read the first time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 3-12-74

Charles W. Wisterman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 3-26-74

Charles W. Wisterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. B-21-74 on the 26th day of March, 1974.

ATTEST: (SEAL)

Charles W. Wisterman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of March, 1974, at the hour of 10:00 clock 4 M., E.S.T.

Charles W. Wisterman
CITY CLERK

Approved and signed by me this 27th day of March, 1974, at the hour of 4:30 o'clock 2 M., E.S.T.

James H. Lubner
MAYOR

Bill No. R-74-03-15

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an ~~Ordinance~~ ^{XXXX}

A Resolution requesting action by City Plan Commission to amend Zoning
Ordinance of the City of Fort Wayne

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance has PASS. as amended.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

CONCURRED IN

DATE 3-26-74 CHARLES W. WESTERMAN, CITY CLERK

Admn. Appr. _____

DIGEST SHEET

9-74-03-15

RESOLUTION
TITLE OF ORDINANCE ~~XXXXXXXXXXXXXXXXXXXX~~ Requesting Action By City Plan Commission to amend Zoning Ordinance

~~XXXXXXXXXXXXXXXXXXXX~~ Requested by Councilman Donald Schmidt

RESOLUTION
SYNOPSIS OF ORDINANCE ~~XXXXXXXX~~ Asks City Plan Commission to repeal sections of present Zoning Ordinance dealing with "B-2" and "B-2A" symbols and substitute definitely described areas for Shopping Centers.

EFFECT OF PASSAGE ~~Initiate~~ plans to repeal symbol B-2 and B-2A in present Zoning Ordinance and substitue new method for Zoning Shopping Centers

EFFECT OF NON-PASSAGE Retain present "B-2" and "B-2A" Symbols

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) None

ASSIGNED TO COMMITTEE (PRESIDENT)

Regulations